



# City of Annapolis

Department of Planning & Zoning

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## Historic Preservation Commission

January 13, 2015

### Closed Session

*Statement: Pursuant to the requirement of Maryland Annotated Code, State Government Article Section § 10-508 (a) (7): this statement is included in these minutes:*

*A closed session of the Historic Preservation Commission was held at 6:30pm, Tuesday, January 13, 2015 in City Council Chambers.*

**Commissioners Present:** *Chair Kennedy, Vice Chair Leahy, Toews, Kabriel, Phillips, Finch (arrived at 6:45pm)*

**Staff Present:** *Assistant City Attorney Elson, Craig, Ruff-Attorney, Hook-Recorder*

*Vice Chair Leahy moved to close this session for the purpose of consulting with counsel to obtain legal advice on a legal matter. Mr. Kabriel seconded the motion. The motion to close the session was approved unanimously in a vote of 5-0.*

*The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section § 10-508 (a) (7):*

*The session topic was:*

*To obtain legal advice of counsel regarding Historic Preservation Commission procedural rules.*

*Vice Chair Leahy moved to adjourn the closed session at 7:21pm. Mr. Toews seconded the motion. The motion passed unanimously in a vote of 6-0.*

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The Historic Preservation Commission (HPC) of the City of Annapolis reconvened its regularly scheduled meeting on January 13, 2015 in City Council Chambers at 7:31pm.

**Commissioners Present:** Chair Kennedy, Vice Chair Leahy, Finch, Kabriel, Toews, Phillips

**Commissioners Absent:** Zeno

**Staff Present:** Craig-Historic Preservation Officer, Theimer-Brown

**Chair** Kennedy introduced the commissioners and staff. She stated the Commission's purpose pursuant to the authority of the land use articles and administered the oath en mass to all persons intending to testify at the hearing.

### C. APPROVAL OF MINUTES

**Vice Chair** Leahy moved approval of the October 14, 2014 meeting minutes as amended and October 23, 2014 meeting minutes as written. Mr. Toews seconded the motion. The motion passed unanimously in a vote of 6-0.

**D. ANNOUNCEMENTS**

Ms. Craig announced that Planning and Zoning now has a new Director, Mr. Peter Gutwald.

**E. VIOLATIONS**

There were no reported violations.

**F. CONSENT DOCKET**

There were none.

**G. NEW BUSINESS**

**1. 93 Main Street** – Kelly Basinger/One Source Security and Sound, Inc. – Alter window opening, install new ATM, awning and signage.

Ms. Basinger did not have any additional information to present.

**Staff:** Ms. Craig restated her written comments and recommended approval of the application as submitted.

**Public:** Public testimony opened at 7:42pm and no one from the public spoke in favor or in opposition of the application so **Chair** Kennedy declared the public hearing closed at 7:43pm.

**Commissioners:** The HPC deliberated on the application. Ms. Phillips believes that the application falls within the awning guidelines. **Chair** Kennedy expressed concern with the redundancy of the message on the awning. Ms. Basinger explained that it has to do with the trademark.

**Vice Chair** Leahy noted that whereas the application for 93 Main Street complies with HPC guidelines B.4, D.2, D.3, D.8, D.30, D.34, D.36 and D.37, moved approval of the application as submitted. Mr. Toews seconded the motion. The motion passed unanimously in a vote of 6-0.

The following Commissioners made a site visit on this application.

Name
Kennedy, Leahy, Kabriel, Finch, Toews, Phillips

**Chair** Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
<b>A</b>	HPC Application date-time stamped 12/17/14 11:22am
<b>B</b>	Supplemental Information dated 12/19/14
<b>C</b>	Supplemental Information dated 1/13/15
<b>D</b>	Staff Report dated 1/2/15

**2. 16 N. Acton Place** – Scarlett Breeding/Alt Breeding Schwarz Architects – Construct a new one-story addition, covered entry at existing front door, trellised terrace, pool and hardscaping.

Ms. Breeding clarified that the windows will consist of wood material and the new windows were sized to match the windows on the left side. She provided photographic detailed information for the windows, soffit, rake and arbor. She noted that the material for the soffit will match the existing wood beaded plank soffit. The proposed rake detail will match the existing rake on the other side and the arbor will be reused.

**Staff:** Ms. Craig restated the written staff report and recommended conditional approval as detailed in the staff report dated January 2, 2015.

**Public:** Public testimony opened at 8:05pm and those speaking on the application are noted below.

Name	Address	In Favor	In Opposition
Donna Ware	HAF	X	

No one else from the public spoke in favor or in opposition of the application so **Chair Kennedy** declared the public hearing closed at 8:06pm.

**Commissioners:** Ms. Phillips is willing to support the application with confirmation from staff regarding the roof pitch. There was a brief discussion regarding whether the proposal could comply with guideline D.19. The applicant's representative stated that she is prepared to accept any conditions placed on the application.

**Vice Chair Leahy** noted that whereas the amended application for 16 N. Acton Place complies with HPC guidelines A.3, B.1, B.4, B.6, B.8, C.1, C.9, D.1, D.2, D.10a, D.12, D.14, D.15, D.16, D.18, D.23, D.24 and D.28b, moved approval with the following:

- 1) Complete site design plan review process for the Buffer Management Plan and approval as required by Planning and Zoning;
- 2) Submit a tree preservation plan and building permit application for review and approval as required by DNEP;
- 3) Provide for staff review and approval the details for the proposed pavilion;
- 4) Provide the final landscape design details to include hardscape material for the pool and any additional plantings that may be required as mitigation;
- 5) Provide Revere/Kollansbec standing seam roof specification; and
- 6) Provide confirmation that the pitch of the standing seam roof is no more than 3"x12".

Mr. Toews seconded the motion. The motion passed unanimously in a vote of 6-0.

The following Commissioners made a site visit on this application.

Name
Leahy, Kabriel, Finch, Toews

**Chair Kennedy** accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
<b>A</b>	HPC Application time date stamped 10/30/14, 2:57pm
<b>B</b>	Supplemental information dated 11/5/14 and 12/17/14
<b>C</b>	Staff Report dated 1/2/15
<b>D</b>	Additional Detailing on Window, Soffit, Rake and Arbor
<b>E</b>	Mr. Dowling comments dated 12/8/14

- 3. 3 Revell Street** – Mary Ann Treger – Enclose a portion of the existing first floor deck and terrace area below. Construct terrace deck above the first floor enclosure and install new windows and relocate existing doors.

Mr. Reithlingshoefer presented the application for a small addition and noted that the home was built in 2000. The existing deck is an entertaining and dinner area proposed to be converted to a four season activity center. There was a rear yard issue that was resolved with P&Z on December 3, 2014. The proposal for the rear of the building is a porch structure that is approximately 15' x 10' deep which follows the line of the existing deck. The enclosure has five push out casement windows on the southeast façade and the door will be removed and relocated to the side of the addition on the first floor as well as the lower level to accommodate entrance off the existing deck.

**Staff:** Ms. Craig restated the written staff report and recommended conditional approval as detailed in the staff report.

**Public:** Public testimony opened at 8:31pm and those speaking on the application are noted below.

Name	Address	In Favor	In Opposition
Rick Sheahan	83 Shipwright St.		<b>X</b>
Cathy Sheahan	83 Shipwright St.		<b>X</b>

No one else from the public spoke in favor or in opposition of the application so **Chair** Kennedy declared the public hearing closed at 8:43pm.

Mr. Reithlingshoefer addressed some of the comments made by the public regarding impacts to the view of the neighbors. He believes the proposal is respectful of the view shed. Ms. Craig urged the HPC to consider that the focal points as defined under guideline A.1 include only the State House, St. Anne's Church and the water.

**Commissioners:** **Chair** Kennedy clarified that the HPC has to address whether the proposed addition complies with guidelines A.3 and whether it complies with guidelines for subordination, massing, fenestration, etc. The HPC deliberated on whether the project complies with HPC guidelines A.3 and **Vice Chair** Leahy believes that the application complies with A.3. Mr. Toews concurs. **Chair** Kennedy does not believe the application complies with A.3 and is not respectful of the view shed or focal point so is convinced by the Sheahan's testimony. Ms. Phillips, Ms. Finch and Mr. Kabriel concur. Mr. Reithlingshoefer asked to continue the application so he can confer with the applicants so waived the 45-day requirement.

The following Commissioners made a site visit on this application.

Name
Kennedy, Leahy, Kabriel, Finch

**Chair** Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	HPC Application time date stamped 10/30/14, 3:05pm
B	Supplemental Information 1/13/15
C	Fremont Email dated 1/12/15
D	Rick and Cathy Sheahan time date 1/9/15, 11:00am
E	Staff report dated 1/2/5
F	Existing Mutton Detail

The HPC recessed at 8:59pm and reconvened at 9:03pm.

**4. 5 Randall Court** – James W. Chadwick – After the fact approval to install a new wood fence and gate.

**Chair** Kennedy recused herself from participating on the application for 5 Randall Court.

Mr. Chadwick apologized for constructing the fence without approval as it was his understanding that the fence could be approved administratively. However, he is willing to remove or modify the fence in any way the HPC deems necessary.

**Staff:** Ms. Craig restated the written staff report and recommended denial of the application as the fence does not comply with HPC guidelines B.1, C.1, C.6 and D.1.

**Public:** Public testimony opened at 9:08pm and those speaking on the application are noted below.

Name	Address	In Favor	In Opposition
Donna Ware	HAF		X

No one else from the public spoke in favor or in opposition of the application so **Vice Chair** Leahy declared the public hearing closed at 9:10pm.

**Commissioners:** Ms. Phillips expressed concern that the fence is located in a public way and it also changes the character of the property. **Vice Chair** Leahy concurs stating that the change to the character defining feature of the iron fence is the main reason why the application should be denied.

Ms. Phillips moved to deny the application for 5 Randall Court as it does not comply with HPC guidelines B.1, C.1, C.6 and D.1. Mr. Toews seconded the motion. The motion passed unanimously in a vote of 6-0.

The following Commissioners made a site visit on this application.

Name
Leahy, Phillips, Toews

**Vice Chair** Leahy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
<b>A</b>	HPC Application time date stamped 1/13/15
<b>B</b>	Staff Report dated 1/2/15

**5. 123 Conduit Street** – Mark Mhley – Replace windows, doors and transoms on enclosed porch at rear of residence.

Mr. Mhley requested approval to upgrade and improve an existing sunroom on the rear of the house. He noted that right now it is a three season room. In order to improve the house and gain more living space during the winter months, he would like it to make it a year round room so needs to replace the deteriorated windows with more energy efficient material. The other requests are to replace the back door with a doggy door and explore replacing the existing window with a CompositWood material.

**Staff:** Ms. Craig restated the written staff report and recommended denial of the application as it does not comply with HPC guidelines.

**Public:** Public testimony opened at 9:22pm and those speaking on the application are noted below.

Name	Address	In Favor	In Opposition
Donna Ware	HAF		<b>X</b>

No one else from the public spoke in favor or in opposition of the application so **Chair** Kennedy declared the public hearing closed at 9:23pm.

**Commissioners:** The HPC deliberated on the application and agreed with staff's recommendation. The applicant agreed to continue the application and to waive the 45-day requirement.

The following Commissioners made a site visit on this application.

Name
Leahy, Toews

**Chair** Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
<b>A</b>	HPC Application time date stamped 12/4
<b>B</b>	Staff Report dated 1/2/15
<b>C</b>	Supplemental information 12/19/14 letter
<b>D</b>	Supplemental information 1/13/15 email

**J. PRE APPLICATION**

**Chair** Kennedy reminded those present that this is an informal discussion and held as a courtesy to the applicants to determine feasibility as well as to address any other issues of concern that may arise at the hearing. This review does not constitute an approval and nothing discussed in this session will be binding on the commissioners or applicants.

**1. 5 St. Mary's Street – Purple Cherry Architects – New Construction**

Ms. Ashley Marshall described the project for 5 St. Mary's Street that included a 3-D of the design of the proposal that included panel details. The project is considered a new construction and it was determined that this is a non-contributing structure built Circa 1950. She referred to a 1972 aerial of the site that shows existing conditions at that time with a new addition. It also shows that some of the windows changed throughout the structure.

**Chair Kennedy summarized** that the application is for a complete new construction so the applicant has to make the case for demolition. There are concerns of splitting the foundational and siding materials so the guidance is to choose one. The references to become sympathetic should not be imitative but derivative and sympathetic but not identical. There is an awkward porch roof that needs to be resolved in the future. The front façade second floor windows should be scaled back. There should be discussion regarding the detailing about the panels below the windows and landscaping.

**2. 122 Main Street – Purple Cherry Architects – New one-story addition with two-story facade one story structure with two story in height. This is an infill building.**

Mr. Kuchta explained that the applicant is proposing a new construction one-story space with a two-story façade. He provided a photo montage of the existing street. He briefly discussed the floor plans and the front elevation.

**Chair Kennedy summarized** that the applicant has successfully responded to many of the questions from the HPC, specifically creating the datum to reinforce the cornice lines and the first floor in the neighboring structures. The exposed lintel on the ground floor does a nice job as well as the reduced sized windows on the second floor, which also reinforces the cornice line as do the proportions of the windows on either side. The step back of the storefront and the store front entrance gives the appearance of an alley. There are questions about some small reworking on the slender column to make it more integrated and less odd in the streetscape. There needs to be discussion about extending the return of the parapet wall on the lower side to match the upper side wall. The applicant clarified that there will be a single brick material used.

**3. 1 Martin Street – Donna Ware/Historic Annapolis**

Mr. Robert Clark gave a brief overview explaining that they are hoping to renovate the building at 1 Martin Street which is a modern building previously used as a ticket booth for the Paca Garden. This building is now primarily used for storage, but because of its location it could be more valuable for public events. They have received grant funding from the State for the rehabilitation so the funding is in place.

**Chair Kennedy clarified** that even though the building is modern it is contextually one of the most significant properties in the historic district so will receive strict review. Ms. Ware noted that the building is owned by the State of Maryland who gave approval with a caveat that the HPC must approve the project.

Mr. Schwerzler discussed the existing conditions and the proposed design. They will be adding a new entrance and ancillary facility. The proposal proposes to expand the total enclosed space to 3,243 square feet and the intent is to create a gathering place to be used as an events space.

**Landscaping**

Mr. Campion explained that there is an existing amphitheater consisting of wood that is in poor shape. The idea of the garden is to create a space for events and for it to be simple so as to not compete. This will be a multi purpose space. Mr. Campion discussed the material proposed for the landscaping project. The parking lot has been reconfigured to be more organized but it houses the same amount of cars as it currently does.

**Chair Kennedy summarized** that the challenges revealed by the application involve issues of compliance to guidelines for subordination and differentiation; that it must retain its character as a support building and not appear as a residential component; that the simplicity continue to be defined and focused, which could mean decreasing the types of materials used, the numbers and types of windows used, etc. There are questions about compliance to guideline B.6 looking at the proportion of glass in the back wall; the HPC will be looking for significant testimony from the applicants on the impacts of the increased size on views from the garden and the house. The HPC would like testimony and data relating to the other side of Martin Street and how this program is going to sensitively respond to both sides of the street not just on the Paca house. There were questions about cohesion of the front façade. There needs to be discussion and testimony that there will be no negative impacts on the view shed of the Chapel dome coming up Martin Street for pedestrians. There was a discussion regarding a possible reduction of entry space to help with subordination issues. There were no concerns regarding the landscaping and what is proposed is appropriate. There were questions of the use of dormers that requires more research. As relating to differentiation there needs to be something sympathetic but not duplicative as it relates to the use of the bricks.

With there being no further business, **Vice Chair Leahy** moved to adjourn the meeting at 11:10pm. Mr. Kabriel seconded the motion. The motion passed unanimously in a vote of 6-0.

**The next meeting is scheduled for January 22, 2015 at the City Council Chambers.**

Tami Hook, Recorder